

# **05hr\_CRule\_05-075\_AC-Ag\_pt07**



Details:

(FORM UPDATED: 07/12/2010)

## **WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS**

### **2005-06**

(session year)

### **Assembly**

(Assembly, Senate or Joint)

### **Committee on ... Agriculture (AC-Ag)**

## **COMMITTEE NOTICES ...**

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**
- Record of Comm. Proceedings ... **RCP**

## **INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL**

- Appointments ... **Appt**
- Clearinghouse Rules ... **CRule**
- Hearing Records ... bills and resolutions
  - (**ab** = Assembly Bill)                      (**ar** = Assembly Resolution)                      (**ajr** = Assembly Joint Resolution)
  - (**sb** = Senate Bill)                              (**sr** = Senate Resolution)                      (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

## Stop liquid manure spread on the ground

CASCO — Recent Press-Gazette articles — "20 or 40 wells polluted," Feb. 19, and "Morrison residents forced to dig deep for clean water," Feb. 26 — are only the beginning of future headlines. Next will come: "Eight children in serious condition due to polluted water." Will we allow this to continue until many residents are sick and dying due to polluted water?

I've brought this problem to the attention of elected officials, only to be met with disregard. Our officials think digging wells deeper will offset the deadly problem of poisoned water. It won't.

The rule of nature is: Water soaks into topsoil, then into overbearing limestone (our water supply source) until it reaches base rock granite (150-400 feet below surface). Since it cannot penetrate the granite, it's forced back up into our drinking water supplies to poison people and animals forever. (We're only weeks away from that point now.)

If we allow liquid manure application to continue, there will be no saving civilization in this area. Isn't it time to quit polluting with liquid cow manure? Our political representatives won't take a stand until it's too late. Liquid manure must be stopped. Now. The answer is simple: It's liquid manure or us.

Urban A. Urban, PhD

representatives to outlaw it. Future elections should be paid for with tax revenue, a certain amount of money, dependent on constituency. Candidates must live within a budget as we do. This way, the incumbent's only edge is his record.

The absolute strongest thing we have is our vote. Exercise it and change the system. Elect representatives who represent us, not their pockets.

Next is our purchasing power. Use it. Refuse to purchase foreign-made products.

Take control of our future. If we don't, we'll lose it.

Robert W. O'Connor

## Be an American and buy American

GREEN BAY — This is my response to the Forum letter, "Buy American only goes so far." I disagree with buying foreign goods that you feel are a better buy.

The day will come in this country when there will be no manufacturing jobs, and China will hold power over this country. Buying American goods provides jobs for our citizens to earn a living, buy products and keep America strong. I feel that buying foreign goods depletes this country of jobs, therefore sending our money overseas.

Where will everyone work when all the jobs are in other countries? We will become a third-class country and then you folks who like foreign goods will get

This translates into an America where we are ruled by men, not laws. I believe Bush is the commander in chief of the military — not the country.

Think of what the attitude of this administration has done to us in the past five years. Following 9/11, we had the sympathy and support of nearly the entire world. We could have rooted out al-Qaida and most every other terrorist with the cooperation we had. Instead, just a few years later, we have squandered that goodwill and are now looked at with disdain. We lock up people indefinitely without recourse, torture prisoners, occupy sovereign nations and operate at home in strict secrecy. With each wrong move the administration makes, terrorists find more recruits. We are playing into bin Laden's hands.

We need checks on the power of the executive branch. Congress needs to balance the decision-making in Washington. When things get out of whack, we have always relied on voters to restructure the legislative branch. That opportunity is just nine short months away.

Jake Ordowski

## Let's save Rockland from the Town Board

ROCKLAND — The ink was hardly dry on the new comprehensive plan stating Rockland residents didn't want sewers when the Rockland Town Board contracted to become part of the metropolitan sewer

## Lawmakers should pass clean-water bill

GREEN BAY — Living in Brown County, we hear too often about fish kills, beach closings and well contaminations caused by manure spills. It is time to clean up this problem.

Recently, the Department of Natural Resources decided to address these issues. They worked to revise the Manure Management Rules (NR 243), which deal with how large farms manage and spread millions of gallons of liquid manure.

Last month, the Natural Resources Board approved revisions that include sensible ideas, like a ban on the spreading of liquid manure when snow is likely to be melting or when the ground is too frozen to absorb it. With protections like this, groundwater will be safer to drink and rural families won't end up in the hospital.

Protecting water quality is also important to me because I am a trout fisherman. Sportsmen and women put their time and money into restoring these streams, only to see their years of hard work ruined when liquid manure is handled improperly.

With sound precautions, we can make sure that we have clean water here in Wisconsin.

Our legislators should take the advice of the Natural Resources Board and pass NR 243 with no roll-backs and no further delay.

Troy Abel

## Smoking should

## We must support global security

DE PERE — Socialist progressives are attempting to turn the Iraqi war into another Vietnam, a war started by Democrats. This conflict has to be dealt with using military objectives making educated decisions, not politically motivated.

The Bush administration is seeing major gains in Iraqi governmental development — the death of al-Zarqawi and finding remnants of chemical weapons. Socialists are trying to discredit these achievements. Eighteen Canadian Muslim extremists were captured with materials meant to blow up government buildings and other mayhem, something the liberal press refuses to publicize. This is a global war.

If we pull out and run like the socialists want, Syrian- and Iranian-supported extremists will take control of an incomplete government-military system. Unlimited oil resources will finance any weapons they want, and any democratic or non-Muslim country will be in danger.

Do not support those who don't support global security. God bless our troops; they need your help.

Ron Valiquette

## FiveSix events are embarrassing

DE PERE — Forget the numerous police calls to

The message was already sent.

I have no problem with the officer writing a warning, but each person in the group needs to be treated equally and that didn't happen.

Racism is a dangerous word to throw out there. The city clearly hasn't been fair to him, but Mayor Schmitt is at least looking into the matter now.

If I were Barnett, I'd be furious at this point. If I were a Packer, I know I'd never invest a single dime in this community when you see what happens to those who do.

The club needs to be changed, that much is obvious, but the current sequence of events is becoming an embarrassment to the city. I'm just glad the problem is finally being looked at.

Jake Phillips

## West siders must wake up to facts

BELLEVEUE — In late 2002, they opposed a migrant housing project on land owned by Agrilink Foods that Agrilink wished to build to save costs of busing migrants from Brillion to Green Bay for work in the former Larsen Co. That was the straw that broke the camel's back. Within months, Agrilink closed the 113-year-old plant.

Since then, the Agrilink site has stood empty, robbing the city of jobs that were bringing millions of

may eventually become empty.

When will Green Bay citizens wake up and realize every business they successfully kill near downtown Green Bay won't be there to help rebuild the downtown area, as the city fathers continue to say they want? When will near-west-side residents realize they are their own worst enemy?

Ronald Fisher

## Print ballots only in English

KEWAUNEE — Citizenship in Wisconsin regressed to its lowest level when the state Elections Board announced it had produced voter registration documents in Hmong and Spanish (Press-Gazette, June 17). Oh yeah, the claim is that Wisconsin ballots will still be printed in English. The next step: ballots printed in other languages to accommodate those too lazy to learn English.

Definitely looks like a play of politicians to gather votes of all immigrants, lawful or unlawful, and non-English speaking.

These people in Madison claim this action is because we're more diverse now. Where have these people been? This country has been diversified ages ago, and centuries ago. There is a mix of ethnic groups, and they all learned English. Irish, German, Japanese, Chinese, Bohemian, Polish, Belgian, Norwegian — you name

Feb. 14, 2006

# Tests identify E. coli in 17 Morrison wells

## State, county officials seek possible sources

BY ED BYRNE  
Gannett Wisconsin Newspapers

MORRISON — Seventeen wells in the Wayside area were identified as contaminated on Monday.

The source of the E. coli bacteria has not been identified, but several well owners said their water smelled like manure. Brown County officials said rainfall in January caused manure runoff in ditches.

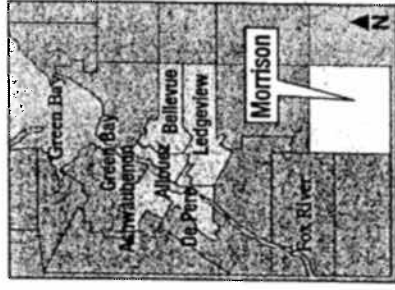
State and county officials were investigating on Monday to determine the source and scope of the problem.

William Hafs, director of the Brown County Land Conservation Department, expects the state Department of Natural Resources to pinpoint a responsible party.

But that wasn't enough for some homeowners. Jeff Gibbons smelled manure in his well last week. He spent \$10,000 digging a new well.

"I hope the state and the county are doing their jobs. So far they've just handed out brochures," Gibbons said.

The first bad well was reported in January. The problem became public at a Morrison Town Board



Press-Gazette

six contaminated wells were reported.

"Our staff talked to a lot of people there and handed out well-sampling kits," said Hafs said.

Dave Bougie, a wastewater specialist with the DNR, would not identify the specific locations of contaminated wells.

"We are still early into this process," he said.

Some well owners have had their water tested through the DNR or the Brown County Health Department, but Bougie said others have gone through private laboratories.

Last year, a dozen wells in the Wayside area were contaminated around the same time of year. County officials said they would require landowners to file winter spreading plans and avoid shallow bedrock areas.

— Ed Byrne is editor of the Writings Post-Gazette.

# Residents<sup>2-16-06</sup> rely on bottles as boil order lingers

## Half of Wayside wells tested have E. coli bacteria

BY PAUL BRINKMANN

pbrinkma@greenbaypressgazette.com

MORRISON — A steady stream of southern Brown County residents picked up bottled water Wednesday at the Wayside Fire Station amid mounting reports of wells contaminated by coliform bacteria.

Some of them were angry.

"There's just too many bad

### Free water

► How residents with affected wells can get help, A-6

"Something's gotta be done about this."

The Wayside area remained under a boil order issued on

wells here to let this slide under the rug again," said resident Shirley Reetz, whose well tested positive for E. coli bacteria two weeks ago.

"Something's



Fred Christensen of Wayside carries a box of bottled water out of the Wayside Volunteer Fire Department on Wednesday. Morrison residents in the Wayside area picked up bottled water because many wells have been contaminated with coliform bacteria. Jim Matthews/Press-Gazette

Tuesday, more than a week after Reetz and several neighbors first reported the well problems. Health officials said Wednesday that half the wells tested in the area — 17 of 34 — showed dangerous levels of co-

liform bacteria, the group of bacteria to which E. coli belongs. Wayside is an unincorporated crossroads community in the town of Morrison about 15 miles south of Green Bay.

Some residents reported a

### Get involved

A Wisconsin nonprofit organization, Midwest Environmental Advocates, has been working to address rural groundwater contamination in the state. For more information about their efforts see [www.midwestadvocates.org](http://www.midwestadvocates.org) or call (608) 251-5047.

At the county level, environmental policy is recommended by the Planning, Development and Transportation Committee of the Brown County Board. The chairman of the committee is Norb Dantine Jr., (920) 863-6323.

smell of manure coming from their tap. Wayside is home to at least one large dairy that spreads liquid manure on surrounding farm fields in the winter. State officials confirmed Wednesday the well problems followed reports of

► See Bottles, A-6

# Aid recommended for well owners

## Supervisor also requests state of emergency in southern Brown Co.

BY PAUL BRINKMANN

pbrinkma@greenbaypressgazette.com

Families with contaminated wells in the Wayside area deserve county financial help, according to at least one local leader.

"These people need help immediately," Supervisor Bernie Erickson said Wednesday in comments after a regular County Board meeting. "I believe a state of emergency should be declared in southern Brown County now. We shouldn't wait until a child

gets sick or worse happens."

Officials have reported at least 17 wells contaminated in Wayside, and local residents say many more problems have been identified through private testing. State and county officials haven't pinpointed a source, but some residents said they smell manure in the water. Manure spills were reported in the area in late January.

Erickson said Wednesday night that Brown County government failed to act appropriately

over the past year to address the problem. Similar well contamination was reported near Wayside last spring. The county has dealt with well contamination through routine programs over the last year, but attempts to increase funding for those programs failed.

Erickson is recommending the following actions:

- Ban all spreading of manure in the area except as permitted by specific county action.

- Offer more well-testing for

local residents.

- Approve an emergency \$40,000 fund for well treatment or other emergency services.

- Approve funding to close more abandoned wells in the area.

- Seek an official declaration of a state of emergency from Gov. Jim Doyle.

The board did not act immediately on Erickson's recommendations. Board Chairman Pat Moynihan said the recommendations would have to be discussed by a committee and placed on an official agenda first.

## Bottles/Problem's cause still unknown

► From A-1

manure spills and runoff events in late January but they did not pinpoint a source of the problem.

"We don't necessarily know who or what caused this problem yet," said Dave Boudie, state Department of Natural Resources wastewater specialist. "We do know there are karst features (sinkholes and cracked bedrock) and improperly abandoned wells in this area. If people smell manure in the water, I'd have to take that at face value."

The bottled water was donated by Don's Artesian Wells in Mishicot and distributed by the town of Morrison and the DNR.

Rebecca Propson has a 4-year-old boy and a newborn. The family is drinking only bottled water. Propson wondered how long the problem would last and whether it was safe to do her dishes with well water.

"We haven't drank the well water since my 4-year-old was born because of the nitrates," Propson said.

The DNR's literature recommends boiling contaminated water for five minutes for drinking, cooking, ice-making, rinsing dishes, brushing teeth or washing wounds.

Coliform bacteria and most common strains of E. coli bacte-

### To get help

People with contaminated wells in the Wayside area can get free bottled water and water testing kits from 8:30 to 11:30 a.m. Saturday at the Wayside Fire Station. Free testing kits for people in the town of Morrison are also available from the Brown County Health Department. Call (920) 448-6400 for more information.

If you must use your well water in the Wayside area, the state has issued a boil order and recommends boiling all drinking water at a "full rolling boil" for at least five minutes to kill bacteria. The warning includes water for food preparation, teeth-brushing and ice-making. Any ice made with contaminated well water should be discarded.

Boiled water is not recommended for young children because boiling can concentrate another contaminant in Wayside water — nitrate.

ria do not make people sick, but those bacteria do indicate that fecal matter is entering a well and other dangerous disease-causing organisms may be present. More

virulent strains of E. coli can sicken people and even cause death, especially to children.

The official number of tests conducted by Brown County was 34, but residents said there are far more bad wells in the area. People like Reetz were also getting their water tested by private companies, and she said hers tested positive for E. coli two weeks ago.

Reetz said she and other residents plan to press local and state officials to address the problem at its sources, whatever the source is determined to be.

It's not the first time rural Brown County has dealt with large-scale well contaminations. In 1998, bacteria contaminated dozens of wells in the town of Green Bay. Just last spring, the Lark community in the town of Morrison reported similar problems. Brown County officials talked about restricting winter spreading after last spring's trouble, but the idea never became policy.

Not everyone was as worried as Reetz.

"I think it's part of life in a rural area. They do need to work with the farmer to address the problems though," said Heather Braun, who lives outside the immediate Wayside community.



# Water available for Wayside residents

## Officials will take questions on well contamination

Press-Gazette

11:30 a.m. Saturday at the Wayside Fire Station. Several Brown County Board members are also expected to be on hand to answer questions and listen to concerns from residents from about 8:30 to about 9:30 a.m.

Free testing kits for people in the town of Morrison are also available from the Brown County Health Department. Call (920) 448-6400 for more information.

Health officials said Wednesday that half the wells tested in the area — 20 of 40 — showed dangerous levels of coliform bacteria, the grob of bacteria to which E. coli belongs. Wayside is an unincorporated community in the town of Morrison about 15 miles south of Green Bay. If you must use your well water in the Wayside area, the state has issued a boil order and recommends boiling.

ing all drinking water at a "full rolling boil" for at least five minutes to kill bacteria. The warning includes water for food preparation, teeth-brushing and ice-making. Any ice made with contaminated well water should be discarded. Boiled water is not recommended for young children because boiling can concentrate nitrate another contaminant.

Brown County health officials said Friday the number of wells contaminated with bacteria had risen to 20 out of 42 known tests. Bougie said the manure spill has not been identified as the source of well contamination, but he continues to investigate a cause.

The Wayside Dairy has more than 1,000 cows just west of Wayside, an unincorporated crossroads community about 15 miles south of Green Bay Dairy owners Dan and Paul Natzke could not be reached for comment Friday evening.

Bougie said he could not comment on whether the dairy would face any penalties for the spill or for not immediately reporting it.

Bougie and county officials said the dairy also applied liquid manure to fields directly behind houses in Wayside recently as last week.

Wayside has no treated water system. Bill Hafz, Brown County conservationist, said some older residential wells are shallow and not cased far below the surface. He said there are several old wells in the area that were abandoned and not closed properly.

Hafz said Wayside Dairy is not the only operation that spreads waste material on the town's fields.

"We think wells are going bad because of land-spreading activities," Hafz said.

— Ed Byrne/Wrightstown Post-Gazette

★ Sunday, February 19, 2006



Press-Gazette

## Spill/20 out of 42 wells polluted, officials say

➤ From A-1

to spreading of manure in the area and getting state funds to help pay residents' expenses for bottled water and work on drilling new wells.

The Morrison Town Board held an emergency meeting Thursday to deal with the growing problem. The board voted to hold a special town meeting and special Town Board meeting on Tuesday at the Morrison Town Hall, 3792 Park Road, to consider enacting a ban on the spreading of any material on frozen ground anywhere in Morrison until April 15.

D-DAY

na 500: 12:30 p.m., WGBA, Channel 26  
est finish in Daytona history ➤ C-10  
ve poster of NASCAR's living legends  
EEKEND

# AZETTE

SUNDAY, FEBRUARY 19, 2006

## DNR looks into spill of manure

### Polluted Wayside wells spur talk of ban on spreading

BY PAUL BRINKMANN

pbrinkma@greenbaypressgazette.com

MORRISON — State authorities confirmed Friday they are investigating a spill of up to 2,000 gallons of diluted manure Jan. 13 at the Wayside Dairy, 11 days before residents began reporting contaminated wells in the area.

"It happened on a Friday. The farm did not report it immediately, but they did follow up with a written report," said Dave Bougie, agriculture runoff specialist with the Wisconsin Department of Natural Resources.

Wayside residents have been living under a boil order since Tuesday because coliform and E. coli bacteria have contaminated many wells. Brown County's Land Conserva-

### What's next

■ **Tuesday:** Morrison Town Board, 6 p.m., Town Hall, 3792 Park Road, Morrison. A ban on winter spreading of manure will be discussed.

■ **Wednesday:** Brown County Land Conservation Committee, 6 p.m., Agriculture & Extension Center, 1150 Bellevue Drive, Green Bay. County and state aid for well owners is on the agenda.

tion office sent a letter Friday to Gov. Jim Doyle asking that a state of emergency be declared in the town. The goal would be ordering an immediate end

➤ See Spill, A-6



# 2-26-06 Morrison residents forced to dig deep for clean water

## Contaminated wells drain pocketbooks

BY PAUL BRINKMANN

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**MORRISON** — It was Easter Sunday 2005 when the tap water ran brown.

A plumber was coming the next day to shut off Bob Bonness' contaminated well. His family was trying to fill a bathtub for water to flush toilets. But the stench of manure was too much.

"In a few minutes the whole house smelled like a barn," Bonness said. "We had to drain the tub, open the windows and light candles."

Brown water may be an extreme condition in Wisconsin, but contaminated wells are not. According to a 2002 study, about 20 percent of private wells tested positive for bacteria contamination in most Wisconsin counties.

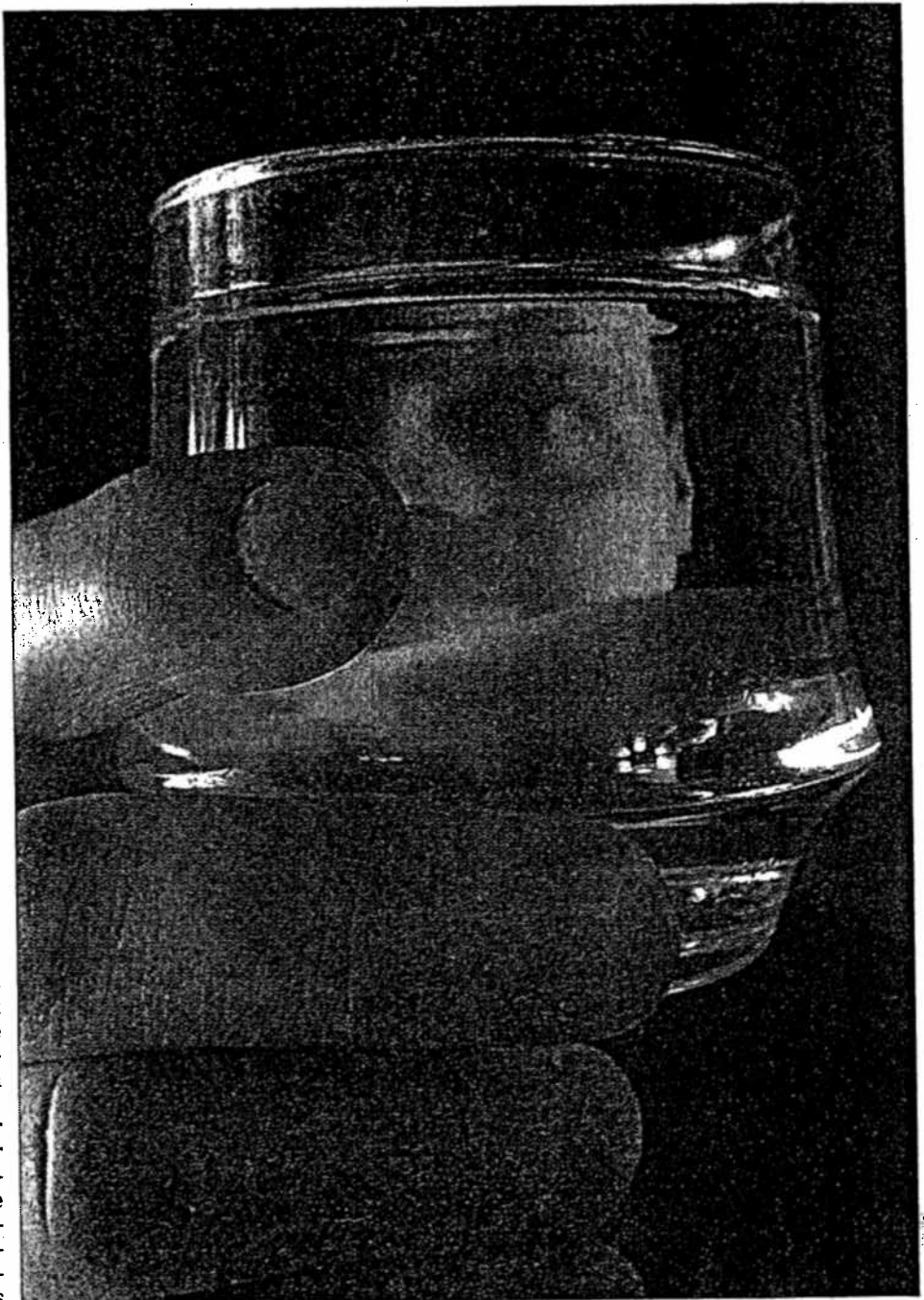
County officials say recent warm winters have made the problem worse. Last year in southern Brown County, 11 families including the Bonnesses had bad wells. This year, almost 40 families in Morrison have contaminated wells, and the entire town is under a state boil order.

Living with a boil order means using either boiled or bottled water for drinking, cooking and washing dishes. In some households with young children, families are driving to relatives' homes for showers. Besides the inconvenience, there's a cost involved. Families are dining out frequently. Others, like the Bonnesses, have been advised to drill new wells for up to \$10,000.

But even drilling a new well is not a surefire solution, as Bonness and other homeowners have learned.

### Mortgaging the house

Tests showed coliform bacteria in the Bonness' well twice last year. Bob Bonness spent days seeking help from experts and government officials.



**ABOVE:** The tap water at Bob Bonness' home looks clear, but that's deceiving. A recent test of the well at his home near Lark in the town of Morrison revealed bacterial contamination.



**LEFT:** Bob Bonness eats lunch with stepdaughter, Brianna Davis, 13, left, and son Josh, 10, at their home. The family has to drink bottled water and

# Water/Manure spreading under scrutiny

► From A-1

The family had built a new house in 1998. The well was about 25 years old and 162 feet deep. It had never gone bad before. The recommendation from the state Department of Natural Resources: dig a new well.

"I took out a home equity loan to pay for a new well. The state assured us that would fix the problem," Bonness said.

Bonness had seen manure from a large dairy farm running in a ditch near his home just days before his water started smelling funny. But local DNR investigator David Bougie said the evidence wasn't strong enough to prove manure caused the problem.

The only way to prove that the bacteria in Bonness' well came from the local dairy was costly DNA sampling. The state told him those tests were too expensive.

Todd Ambs, the DNR's water division administrator, said the state never requires someone to build a new well.

"Historically, if there was a problem with a shallow well, digging a deeper well — that usually took care of the problem. But the choice is up to the homeowner," Ambs said.

Bonness said

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Rich Rosenbaum has been bathing at a friend's house on his doctor's advice because his water tested positive for the bacteria and he has a skin condition.

And Rebecca Propson wonders if she will ever be able to let her children drink the water again. Her youngest is six months old.

## A state task force

Gov. Jim Doyle's administration created a task force last year to look at problems associated with manure spreading on farm fields during winter.

Winter spreading is considered a potential problem because the manure accumulates on frozen ground until rain or thaw. When the manure-snow combination melts, it can run off in large quantities flooding nearby creeks and getting into wells.

The governor's task force considered a state ban on winter spreading of liquid manure — the method used by the largest dairies. But, instead, the task force focused its recommendations on educating farmers and other industrial waste spreaders about the dangers of spread-

ing manure near open sinkholes and fractures in the ground. A separate effort by DNR staff to restrict winter spreading is still moving ahead — known as revisions to the NR243 rule.

John Klug, a farmer in Morrison, said Wednesday that he and many other farmers in Morrison drilled deeper wells years ago because they knew the problem of contaminated groundwater was getting worse. He said too many homeowners have older shallow wells and he believes that is the problem, not spreading of manure.

## Sick feeling

Willems Well-Drilling of Wrightstown dug Bonness' new well and capped the old one for \$8,267. Plumbing connections added another \$1,165. Bonness spent \$345 on topsoil. The new well reached down 262 feet, with cased walls down 100 feet — far beyond the state recommendations for safe drinking water.

But last week, Bonness got the bad news from the Brown County Health Department — his new well was bad again.

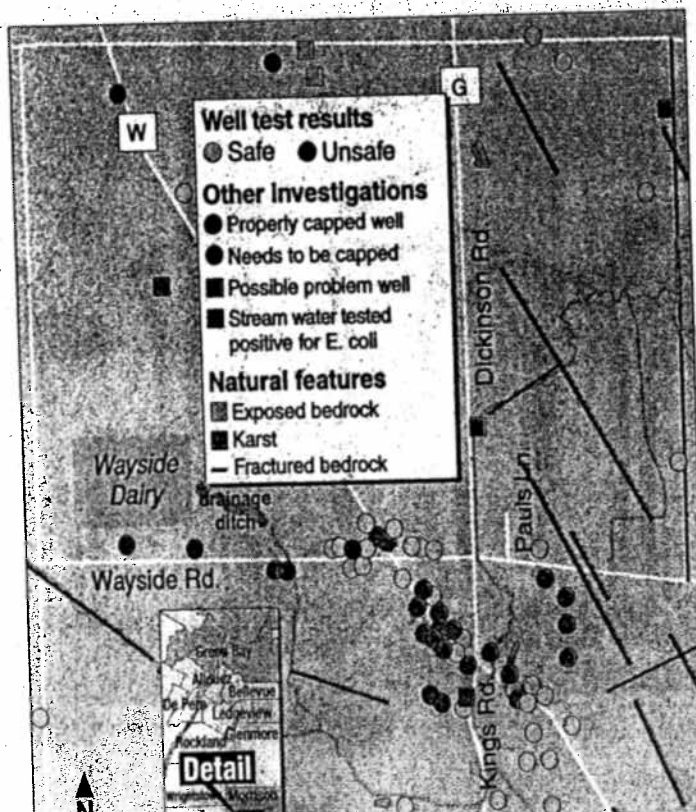
The water wasn't brown this time, but it was contaminated with coliform bacteria. He and his wife and two children are drinking bottled water or canned soda and juice. For now, the DNR is providing free water to people with bad wells.

"You feel like your heart just goes up in your throat. I'm thinking, why us, again?" Bonness said.

This year, most of the contaminated wells are in Wayside just south of Lark. Communities elsewhere in Kewaunee, Brown and Door counties have had similar problems. Well contamination is a more serious problem in counties along the Niagara Escarpment, which includes bluffs along the Door Peninsula, the Fox River Valley and Lake Winnebago.

It's a bigger problem there because of something called "karst" geology — the soil is shallow, and cracks in bedrock carry pollution directly into the groundwater.

In Wayside, Fred Christensen is getting free drinking water, but he boils water for his three cats.



## What's next

**Town of Morrison** — The Town Board has scheduled a March 9 public hearing on an ordinance that would ban winter spreading of manure in the town until April 5.

**Brown County Land Conservation Department** — County Conservationist Bill Hafz has recommended an eight-part strategy to deal with contaminated wells, including a new well-testing program and a ban on winter spreading in risky areas. The County Board's Land Conservation Subcommittee will be

considering Hafz's recommendations in upcoming meetings.

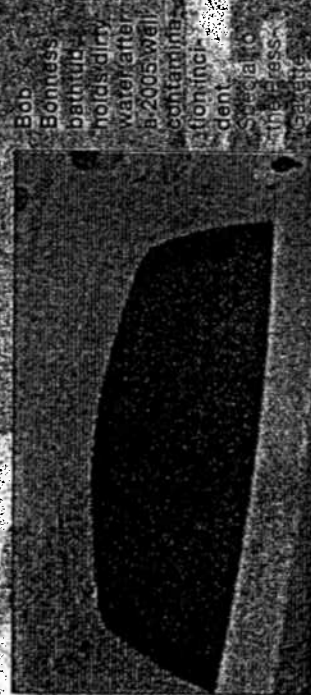
**Wisconsin Department of Natural Resources** — The department is funding free bottled water delivery to affected residents. State officials are also investigating reports of manure runoff and other possible contamination sources in the area. The DNR is proposing stricter rules governing large farms and manure spreading, known as Natural Resources Code 243.

**Gov. Jim Doyle** — County officials have asked Doyle to declare the town a state of emergency, which would allow federal funding to help residents. Doyle's office said the state is considering the request while the DNR works on other solu-

tion. The DNR works on other solu-



**Morrison resident Fred Christensen keeps boiled water outside his back door.** Corey Wilson/Press-Gazette



**Bob Bonness** battles holds dirty water after a 2005 well containing contamination. Special to the Press-Gazette

# Morrison well woes deepen

2-23-06

## County OKs \$40,000 for tests; bottled water being provided

BY PAUL BRINKMANN

pbrinkma@greenbaypressgazette.com

The well contamination crisis in Morrison continued to expand Wednesday as Brown County officials approved \$40,000 emergency funding for increased water quality tests.

The latest count of wells contaminated by bacteria is 36 of roughly 144 tests in the town. The county's Land Conservation Subcommittee heard complaints from residents for almost three hours before approving the additional funding. The town has been under a state boil order since Feb. 14.

"It's scary to me," said Rebecca Propson, a resident of Wayside with a contaminated well. "I just don't know where this is going to stop."

### Tests and free water

Starting today, county experts will distribute water-testing kits daily from noon to 2 p.m. at the Morrison Town Hall, 3792 Park Road.

The Wisconsin Department of Natural Resources is also paying for free bottled water distribution to all residents with a contaminated well.

Call (920) 864-2322 for information from the town.

### Call for action

County officials urged people to contact their state legislators and Gov. Jim Doyle about the well contamination, because they've asked the governor to consider declaring a state of emergency.

■ Gov. Jim Doyle, P.O. Box 7863, Madison, WI 53707, phone: (608) 266-1212

■ State Rep. Alvin Ott, R-Forest Junction, district office: (920) 989-1240

■ State Sen. Alan Lasee, R-Rockland, district office: (920) 336-8830

### Governor's comments

Dan Leistikow, a spokesman for Doyle, gave this statement in response to questions Wednesday:

"The governor has received the letter. The DNR and emergency management are considering the request and looking closely at whether the damage is sufficient that we would be eligible for federal funding. In the meantime the DNR is working closely with the town to make sure that immediate needs of the citizens are addressed, in particular providing bottled water so that drinking water needs are met."

### Water precautions

Officials handed out new health advice Wednesday from the University of Wisconsin with the following precautions for people with contaminated water:

■ Boil water for five minutes to make it safe for swallowing.

■ Water that will contact food or dishes can be boiled or treated with 1 teaspoon bleach per quart.

■ Showers or baths are still OK, but not for young children who might swallow the water.

➤ See Wells, B-2



# Wells/Source of contamination still unclear

► From B-1

## Investigating a source

The DNR and the county Land Conservation office are investigating the well contamination.

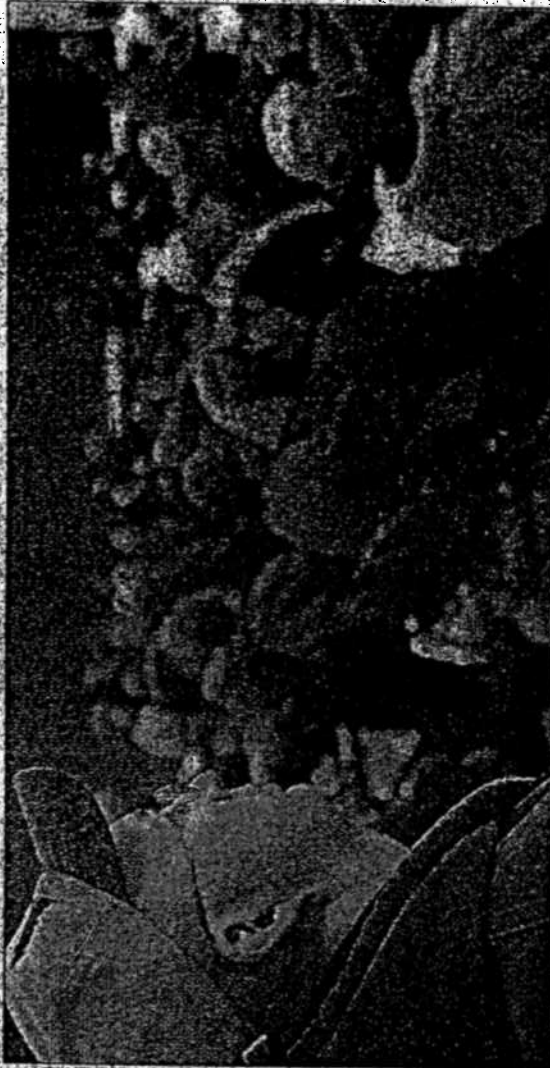
The DNR has said a source cannot be determined, but county Conservationist Bill Hafs said he believes the cause is winter spreading of human, animal and industrial waste on frozen farm fields.

Hafs said wells might clear up during the current cold snap because the ground is frozen, but he said people should expect more problems when it thaws this spring.

Anyone with information about the contaminated wells should call the DNR at (920) 662-5460 or the county at (920) 391-4620.

## Health emergency

Another person with the power to declare a health emergency is Judy Friederichs, Brown County health officer. But Friederichs said Wednesday that she doesn't believe a health emergency would be productive because



Joe Peterman attends a meeting Wednesday on the contaminated wells in Morrison. The Brown County Land Conservation Subcommittee met in Green Bay to discuss the problem. B.A. Rupert/Press-Gazette

an exact source of the contamination hasn't been determined. But those bacteria do indicate that fecal matter is entering a well and other dangerous disease-causing organisms may be present.

The issue with this situation, you have to know what the specific source is. In this situation a specific source has not been identified in, and of common, strains of E. coli bacteria does not make people sick, dren.

Joe Peterman attends a meeting Wednesday on the contaminated wells in Morrison. The Brown County Land Conservation Subcommittee met in Green Bay to discuss the problem. B.A. Rupert/Press-Gazette

Hafs also called for reviewing county ordinances and is recommending that:

- Special permits be required for winter spreading between Dec. 1 and April 15

- Buffers (no spreading zones) be marked around exposed rock, sinkholes and unsealed wells

- Spreading setbacks be established on land near streams

- Procedures for handling manure spills be required

- Procedures be required for sealing and capping unused wells

- Fines for manure handling violations be increased

- Land spreading permits for each town be reviewed

Hafs said the current fines for violations are so low, at \$50 per day of violation, that it's cheaper for farmers to violate than to correct the problem.

— Ed Byrne writes for the Post-Gazette in Wrightstown

## Soil/Fines cost less than to fix the problem

► From A-1

a part of any river system, but disappears into holes in the limestone bedrock, going directly into the underground aquifer from which wells draw drinking water.

He said land-spreading of waste needs to be banned on all of those 178 acres.

In addition to the spreading of manure on farmland, there is spreading of septic, municipal and industrial waste on the same farmland, making the problem even worse.

"It is not just animal waste," Hafs said. "The land is over capacity for spreading."

Hafs said it makes no sense to only invest in new wells to replace the contaminated ones.

"We have to protect our investment in those new wells," he said.

The Land Conservation Department has identified 47 manure storage facilities on farms in the town and Hafs said all must be inspected and re-evaluated.

Seven new manure storage facilities are in the planning stages.

One of the 47 existing storage facilities has to be abandoned, Hafs said, because it has no concrete floor but rests directly on the limestone bedrock.

His department is looking at all of the wells that have gone bad and will be evaluating land-use activities within a mile of each of those wells.

He said his goal is to install conservation practices that will reduce the number of wells going bad to 25 in 2007.

## METOWN HUMOR

Filmed in Marinette, 'The Godfather of Green Bay' goes for laughs close to home. ► Weekend

## GAZETTE

THURSDAY, MARCH 23, 2006

# Overloaded soil poses well issue

### Morrison lacks enough land for all its manure, director says

BY ED BYRNE

Gannett Wisconsin Newspapers

with manure.

"We have overloaded the soil there and it is going to take years before it clears up," Hafs said.

MORRISON — Local, state and federal agencies have committed about \$750,000 to working on the well contamination issues in the town of Morrison, but the problem isn't close to being solved.

"We don't have enough land (in the town) for the waste being applied currently to land in the town of Morrison," said Bill Hafs, director of the Brown County Land Conservation Department.

Hafs, who was appointed by Brown County Executive Carol Kelso to coordinate the multi-agency attack on the problem, said Wednesday that 76 wells have tested positive for bacterial contamination so far, and the agricultural land in the town is seriously overspread

Delivering his second report to the County Board's Land Conservation Subcommittee Hafs said the number of cows in the town has doubled to 8,000 in the last decade and each cow's manure requires about three acres for annual spreading, or 24,000 acres total.

The town, Hafs said, has 14,533 acres of cropland, but a significant portion of it is not suitable for spreading.

He cited the example of one area in northwestern Morrison township.

Conservation officials found an area of 178 acres that all drains into a single creek. The creek is not

► See Soil, A-5



# Humans, animals foul drinking water

Residents of the town of Morrison in southeastern Brown County are learning first-hand just how vulnerable Northeastern Wisconsin groundwater is to bacterial contamination.

Coliform bacteria contaminated the private wells of more than 40 Morrison homes and everybody in town has been under a state order to boil any well water used for drinking, cooking or washing dishes. The presence of coliform bacteria indicates that the water is potentially dangerous and should not be consumed unless boiled, the Wisconsin Department of Natural Resources warns.

People in this part of Wisconsin tend to take abundant, clean drinking water for granted because the area is in the Great Lakes basin, in proximity to 20 percent of all the fresh surface water

**Issue**  
Contaminated wells

## Our View

People and animals, especially in rural areas, can ruin the drinking water they rely on on Earth. But a few factors work against the certainty of unlimited clean water from private wells in the area.

One is insufficient topsoil in places, which means there's little to filter out contaminants before they can enter the groundwater. Another is fractured bedrock, which also allows contaminated surface water to enter the underground supply. And a third is a naturally high level of toxic minerals and some other contaminants in the groundwater, such as radium, arsenic, iron and lead.

Put all that together and,

people with private wells in Northeastern Wisconsin easily can find their water polluted, especially when contaminated runoff occurs as the ground thaws in spring. In fact, Brown County Conservationist Bill Hafla warned this week that the number of bad wells in Morrison could increase if temperatures rise above freezing this week, as the National Weather Service has predicted.

When a well tests positive for bacterial contamination, the first reaction usually is to blame it on farmers who spread manure on their fields.

But the DNR explains on its Web site, "Coliform bacteria are found in the feces of humans and other animals as well as in surface water. Their presence in groundwater (wells) shows that unfiltered or poorly fil-

## Information

For more on the bacterial contamination of drinking water, visit the Web site of the Wisconsin Department of Natural Resources at [www.dnr.state.wi.us/org/water/dwg/BAOT/HITM](http://www.dnr.state.wi.us/org/water/dwg/BAOT/HITM). A sampling kit for bacterial testing of private wells is available for a fee from the Microbiology Unit, State Laboratory of Hygiene, 465 Henty Mall, Madison, WI 53706, telephone (608) 262-1210, or from any private laboratory certified for bacterial testing of water.

tered surface water or near-surface waters have found their way into the groundwater or entered through an opening in, around or at the top of the well casing."

It's for that reason that the DNR recommends an annual test for bacterial contamination or a test after any kind of well modification.

It's for that reason that abandoned wells should be properly sealed, that failing septic systems should be replaced and that farmers

should avoid spreading manure on frozen fields. And it's for that reason that a private well should not be drilled close to septic tanks, tile fields, sewers, kitchen sinks, drains, privies, barnyards, animal feed lots, abandoned wells, rock outcroppings, sink holes or quarries.

Northeastern Wisconsin is fortunate to have Lake Michigan nearby, long the source of clean drinking water for the city of Green Bay and soon to be the water supply for the entire

Wednesday, March 1, 2006 \*

A-6



The tap water at Bob Bonness' town of Morrison home looks clear, but that's deceiving. A recent test of his private well revealed contamination. File/Press-Gazette

metropolitan area. But, as some Morrison residents have learned, animals and people who rely on wells easily can foul their drinking water.

Morrison

## Board reviews

### 2-22-06 manure spreading

The Morrison Town Board voted Tuesday to move forward an ordinance that would impose a temporary moratorium on any land-spreading of manure or other industrial waste in the town until April 5.

The ordinance cannot be given final approval until the Town Board's March 9 meeting.

Town residents filled the hall and stood outside for a special town meeting in the wake of a rash of wells testing positive for bacterial contamination.

The Town Board called Tuesday night's special town meeting to get as much information as possible to residents about the wells in the Wayside area that began going bad in late January.

John Paul, who heads the Brown County Health Department's environmental laboratory, said 90 wells in the area had been tested, with 23 showing coliform bacteria.

Paul said none of the samples handled by his laboratory tested positive for E. coli bacteria.

— Ed Byrne/Wrightstown Post-Gazette

# 15% of wells<sup>6-8-06</sup> in Morrison have coliform

BY ED BYRNE

Gannett Wisconsin Newspapers

MORRISON — About 15 percent of the wells tested positive for coliform bacteria and all of the water tested in Morrison came up as hard water.

None of the wells tested positive for E. coli bacteria. Coliform bacteria, however, is an indicator that the water supply is vulnerable to contamination.

The Center for Watershed Science and Education at the University of Wisconsin-Stevens Point tested the wells at the expense of the town, which wanted to get a handle on the extent of groundwater contamination after a number of wells in the Lark area went bad in 2005 and many more went bad from bacterial contamination this year in the Wayside area.

Over 100 people packed the Town Hall on Wednesday. Kevin Masarik, a groundwater education specialist, walked residents through all of the issues in a 90-minute presentation.

If the well tests positive for bacteria, he advised getting a second test to confirm the problem, and then identifying the probable cause of the contamination.

Masarik said the source of contamination in a bad well usually comes from a source within a one-mile radius of the well.

Of the 126 samples tested, 67 showed high levels of nitrates sufficient to cause health problems in pregnant women and children under six months of age.

— Ed Byrne is editor of the Wrightstown Post-Gazette.

# Groundwater advisory panel selected

Press-Gazette

Bellevue St., Green Bay. Future meetings are set for July 11, Aug. 8, Sept. 12 and Oct. 10.

A group of local geology experts, university scientists, well drillers and farmers will assist landowners and local agencies in reducing the potential for groundwater contamination in Northern Wisconsin, the Brown County University of Wisconsin Extension announced Friday.

The Northeast Wisconsin Karst Technical Advisory Committee will meet monthly for the next three to five months.

The first meeting will be from 1 to 3 p.m. Tuesday in Room 161 of the Brown County Ag and Extension Service Center, 1150

Committee members include: ■ Bob Barnum of the state Department of Natural Resources.

■ Dave Bougie of the DNR.

■ Ken Bradbury of the Wisconsin Geological and Natural History Survey

■ Kevin and Lisa Collins, farmers

■ Kevin Erb of UW-Extension

■ Kevin Fermanich of University of Wisconsin-Green Bay

■ Dave Gruett, professional manure applicator

■ Bill Hafs of Brown County Land Conservation Department

■ Jim Hunt of U.S. Department of Agriculture Natural Resources Conservation Service

■ George Kraft of UW-Stevens Point

■ John Luczaj of UWGB

■ Maureen Muldoon of UW-Oshkosh

■ Colleen Norton, independent agronomist

■ Bill Schuster, Door County Land Conservation Department

■ Ron Stieglitz of UWGB

■ Jim VandenBrook, state Department of Agriculture, Trade and Consumer Protection

■ Tom Vande Yacht, professional well driller

■ Randy Virlee, farmer





# Managing Manure to Protect Water Quality

Revisions to NR 243

Gordon Stevenson  
WDNR Runoff Management Section  
May 24, 2006



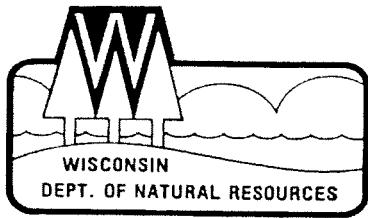


NR 243 Animal Feeding Operation  
Rule Revisions  
<http://dnr.wi.gov/runoff/agriculture/nr243.htm>



**Update on NR 243, manure management regulations for large livestock farms**

The state Natural Resources Board unanimously adopted DNR's proposed changes to the rules at their May 24 meeting in Elkhart Lake. NR 243 is now before the legislature for consideration.



## NEWS RELEASE

**Wisconsin Department of Natural Resources**  
101 S Webster, P.O. Box 7921, Madison, WI 53707  
Phone: (608) 266-6790 TDD: 711  
dnr.wi.gov www.wisconsin.gov

**DATE:** Released in the May 16, 2006 DNR News  
**CONTACT:** Gordon Stevenson (608) 267-2759; Tom Bauman (608) 266-9993  
**SUBJECT:** Rule changes proposed for very large farms' manure management  
*Changes aim to reduce well contamination, fish kills, water pollution*

MADISON – Changes to rules governing manure management by Wisconsin's largest farms will come before the state Natural Resources Board at its May 24 meeting in Elkhart Lake. State water quality officials hail the changes as a critical component of efforts to reduce manure-related problems that contaminate drinking water, kill fish and pollute lakes and streams.

The revised rules would govern manure management for up to 165 of Wisconsin's largest farms – those with at least 1,000 animal units and which generate at least 6.5 million gallons of manure a year plus other wastes. The changes are triggered by recent changes in federal rules governing such large-scale operations, known as Concentrated Animal Feeding Operations, or CAFOs.

"We all want clean water, good fishing and prosperous farms," says Gordon Stevenson, who leads the Department of Natural Resources' runoff section. "Most of these very large farms already take the prevention measures we want them to take. Assuring that all of these very large farms take these same measures is very important to achieving clean water, good fishing and prosperous farms."

The revisions would affect the 150 farms that now have, or have pending, water quality permits from the state because they exceed 1,000 animal units, equal to 700 mature dairy cows, 2,500 pigs or 55,000 turkeys. An additional 10 to 15 farms would be brought under regulation due to changes in how the U.S. Environmental Protection Agency calculates animal units.

These very large farms represent a fraction of Wisconsin's 30,000 livestock operations, but the sheer amount of manure each farm produces poses a significant threat to public health and the environment if the manure's not managed properly, Stevenson says.

A single cow generates as much organic pollution as 18 people, and a farm with more than 1,000 cows potentially generates as much organic pollution as a city the size of Sun Prairie. However, the livestock operation can spread manure on land with no treatment.

To reduce the likelihood of manure-related well contamination, fish kills and pollution from these very large farms, the rules require these very large farms to have six-months storage for liquid manure and to prohibit spreading liquid manure on frozen or snow covered ground unless it's injected or immediately incorporated into the ground, according to Tom Bauman, who coordinates Wisconsin's agricultural runoff program and led the rule revision effort.

(more)

An estimated 80 percent of regulated farms already have such storage, and Illinois, Michigan, Minnesota, Ohio and Indiana already require at least this much, he says.

Other major changes approved by the Natural Resources Board would:

- Ban spreading solid manure on frozen or snow covered ground during February and March unless it was immediately worked into the ground. Research has shown that February and March are the riskiest months for applying manure on Wisconsin fields.
- Require that manure spread on land be set back from private and public drinking water wells and from sinkholes and fractured bedrock. Additional restrictions would apply to manure and process wastewater spread on areas with shallow soils.
- Require farms to follow nutrient management plans based on applying the right amount of phosphorus to the soil. This nutrient, if it enters lakes and rivers, can decrease water quality and fuel algae growth.
- Require farms applying manure near lakes and streams to implement practices such as leaving crop residue on fields and limiting the amount of manure applied to protect against manure runoff.
- Require farms to develop an emergency response plan to address manure spills or discharges.

More information about the board-approved changes to NR 243 rules governing Wisconsin's large-scale farms can be found on DNR's Web site: <http://dnr.wi.gov> then use the A to Z topic search engine to look for "runoff" and then scroll down and choose a selection under "agricultural" to reach this address: <http://dnr.wi.gov/org/water/wm/nps/animal.htm>.

## It's time to implement manure-management rules

The Natural Resources Board made a good decision last week when it voted to advance changes to manure-management rules that would affect Wisconsin's largest livestock farms.

The board forwarded the rules to the state Legislature despite testimony from livestock-group representatives and others who asked for a one-month delay. The livestock groups asked for the delay to give them time to review some of the rule provisions, which they said were released just two weeks prior to the Natural Resources Board meeting.

The DNR should have distributed copies of its rule proposal sooner, but yet, there are no big surprises in the package approved by the Natural Resources Board. Stakeholders have been attending hearings and providing input on the proposal for months, so they've had plenty of opportunities to make their opinions known.

They will have at least one more chance to comment, when the rule package is considered by the state Legislature within the next few weeks.

The proposed revisions would affect the 150 farms that now have, or have pending, water quality permits from the state because they exceed 1,000 animal units. An additional 10 to 15 farms would be brought under regulation because of changes in how the U.S. Environmental Protection Agency calculates animal units.

To reduce the likelihood of manure-related well contamination, fish kills and pollution from large farms, the DNR is proposing that the operations be required to have six-months storage for liquid manure and to prohibit spreading liquid manure on frozen or snow-covered ground unless it's injected or immediately incorporated into the ground.

DNR officials say 80 percent of regulated Wisconsin farms already have six-month storage capacity, and that Illinois, Michigan, Minnesota, Ohio and Indiana have similar requirements.

The proposal would also ban the spreading of solid manure on frozen or snow-covered ground during February and March; require farms to follow nutrient-management plans based on applying the right amount of phosphorus to the soil; require farms applying manure near lakes and streams to implement runoff reduction practices; and require farms to develop an emergency-response plan to address manure spills or discharges.

It's undeniable that farmers face a plethora of rules and regulations. These new requirements would be added to an already long laundry list for the state's largest farms.

Yet, the rules are generally reasonable. Most large-farm operators are already doing most of what the regulations would require. The rules would simply standardize much of what is already being done and let the public know farmers are doing what they can to keep manure out of surface- and groundwater.

One thing that is getting old is the DNR's presentation that emphasizes the 52 manure-runoff events in 2005 that resulted in fish kills. The statistics would lead the public to believe that farmers are bad actors and have little regard for the environment.

How about incorporating those 2005 statistics into a five-year average? Yes, it's much more dramatic to emphasize the 52 runoff events that occurred in a single year, but it would be much

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more accurate to note that there have been virtually none in 2006. An unusual weather phenomenon caused the large number of runoff events last year, and the DNR should remember to make that point when it makes its presentation to the Legislature.

Also, DNR officials shouldn't focus so heavily on the large livestock farms that they forget about the small- and medium-sized operations. Some reports have indicated that most manure runoff events occur on nonregulated farms, which means many large operations are managed so efficiently that they aren't likely to pollute.

This is not to say that small- and medium-sized farms need more regulations, but perhaps DNR officials should spend a little more time zeroing in on some of the so-called bad actors. Manure from a 50-cow dairy farm near a stream can be just as toxic as manure from a 1,000-cow operation.

The rules revisions have been nearly four years in the making, and DNR officials say they won't be fully implemented until 2010. That's a long time from start to finish.

The rules been talked about long enough. It's time for the Legislature to approve the recommendations and for the implementation process to begin.

**By Jim Massey**



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## Tell us about your lake

If you help clean a Dane County lake this Saturday, we want to know about your experience. What happened? What did you find? What else must be done to protect our waterways? Responses, 200 words or less, will be featured in the Thursday, June 15, Spectrum section of the State Journal and online at [madison.com](http://madison.com).

# Protect against farm runoff

**P**olluted water and dead fish have demonstrated why Wisconsin should tighten its regulation of how the state's largest farms store and spread manure.

Revised rules proposed by the state Department of Natural Resources point in the right direction. With a minimum of tweaking by state lawmakers, the rules should be put into effect.

At stake is the risk to the environment, and to human health, when manure runs off farm fields and into streams, rivers and lakes.

Two pollution cases in Dane County in the winter of 2004-05 illustrated the problem. Manure polluted the west branch of the Sugar River near Mount Horeb, killing trout. Manure also polluted Dorn Creek just north of Lake Mendota.

In another case, in the spring of 2004, a family in Kewaunee County complained of illnesses they said were caused by pollution of their well water from manure spread on a nearby field.

Changes in federal environmental rules require Wisconsin to toughen its manure regulation of the state's largest farms — those with the equivalent of 700 milking cows, 2,500 pigs or 55,000 turkeys. Only about 150 of Wisconsin's 30,000 livestock farms are that large, but each of those large farms can produce as much waste as a city of 18,000 people.

Smaller farms are subject to local regulation. Dane County tightened its manure rules last year.

The DNR's plan requires all large farms by 2010 to do what most already do: strictly limit

the spreading of manure on frozen or snow-covered ground. Frozen ground is one of the biggest reasons for manure runoff.

The plan also requires the regulated farms to have six months of liquid manure storage, which 80 percent of large farms already have, and it places other rules on manure management.

The plan provides the flexibility needed to reduce unintended consequences. For example, one result of limiting winter application of manure could be a flood (literally) of manure spreading in spring. The plan responds to that risk by allowing farmers to apply manure under certain conditions in the winter, if it is injected or incorporated into the ground.

The proposal also adds a streamlined permit process that could benefit many farmers.

The state Natural Resources Board approved the proposal. The next step will be the Legislature, where Senate and Assembly committees could accept it, reject it, or recommend changes.

Some farm groups object to some of the provisions. Lawmakers should listen to ideas that would help to simplify the regulation.

For example, a ban on manure application when forecasts call for a 70 percent chance of rain may be unproductive, given how problematic forecasts can be and given the incentive farmers already have to be careful of rain.

But legislators should reject any major alterations. The plan should be an important part of Wisconsin's efforts to protect its water quality.

## Wisconsin State Journal

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*Opinions above are shaped by the board, independent of news coverage decisions elsewhere in the newspaper.*



# 'Animal units' and waste

nip 5-24-06 opinion

According to the state Department of Natural Resources, between July 2004 and June 2005, there were 52 manure spills in Wisconsin that damaged waterways or contaminated wells; major fish kills occurred on the West

## ENVIRONMENT

Branch of the Sugar River, the Pine River, the Jersey Valley Flowage and other waterways. In addition, between 20 and 35 rural wells were contaminated by manure in 2004 and 2005. In the first several months of this year, nearly 70 wells in southern Brown County were contaminated by bacteria, a significant number of them from manure.

The DNR has come up with a revised set of rules governing manure management on the state's largest farms, otherwise known as Concentrated Animal Feeding Operations, that would take a big step toward reducing such spills and contamination. The Natural Resources Board will consider those rules today at a meeting at Elkhart Lake; it should not hesitate to adopt them, albeit with a few adjustments.

CAFOs are farming operations with at least 1,000 animal units — equal to 700 mature dairy cows, 2,500 pigs or 55,000 turkeys — and that generate at least 6.5 million gallons of manure a year plus other wastes. Changes in federal rules governing such large operations triggered the DNR's proposed changes to its rules, but they come none too soon.

As more people build homes in formerly rural areas, they learn that "the country" isn't quite the bucolic idyll they once thought. Bumping up against farmland, suburbanites and exurbanites find that farms have odors, noises and even worse things — such as manure spills — that they weren't counting on. This is hardly the farmers' fault — and, after all, they were there first — but it can lead to rising tensions.

A single cow generates as much "organic pollution," in the DNR's gentle phrasing, as 18 people; a farm with more than 1,000 cows can generate as much as a city the size of Sun Prairie. Placing stricter regulations on the largest farms to reduce the odds of spills and contamination is important for the environment and for rural homeowners.



JOURNAL SENTINEL FILES

**Manure spills** can damage streams and rivers, resulting in major fish kills.

Among other things, the revised rules would ban CAFOs from spreading solid manure on frozen or snow-covered ground during February and March unless it was immediately worked into the ground, require CAFOs to have six months' storage for liquid manure and require farms to develop an emergency response plan to address spills or discharges.

All of the revisions make sense, although some of them could be implemented earlier than planned, as groups such as the Wisconsin Wildlife Federation and Midwest Environmental Advocates are arguing. Concerns of the Wisconsin Farm Bureau Federation also need to be addressed; the rules should not put undue hardship on farmers.

Still, given recent history and the looming future of development, leaving things as they are is not an option.

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## Editorial: New farm runoff rules take sensible approach

May 31, 2006

The idea of banning liquid manure spreading on fields during times when the ground is least able to absorb it is a sensible way to protect waterways from pollution.

This is just one of the rules the Department of Natural Resources Board approved last week at a meeting in Elkhart Lake to guard against fish kills and contaminated groundwater. These new regulations will apply to only the largest of the estimated 30,000 farms with livestock in the state.

Lawmakers must still approve the full slate of rules, and although changes are likely, the goal of greater protection from farm runoff should not be watered down. The ban on spreading liquid manure applies to the months of February and March when the ground is usually frozen and manure easily can find its way into nearby streams or rivers. Once in the water, the manure chokes off oxygen and kills fish. We've seen this happen already on Fisher Creek in Manitowoc County.

Liquid manure can also get into the groundwater and pollute nearby wells, a concern since farms and residential development are growing closer together.

Another of the rules would prohibit spreading of liquid manure at times of heavy rain when the likelihood of runoff is greater. This might be difficult for the farm operator, since weather forecasting isn't an exact science, as anyone who's planned a picnic can attest. However, the goal of the regulation is to take precautions before the manure is spread.

Rules will also call for buffers from streams and would require farming operations to have storage capacity for up to six months of manure so winter spreading can be avoided.

A key component of the regulations is the development of an emergency response plan in the event of a spill. We have response plans for industrial accidents to keep pollution damage to a minimum and the same should be applied to farm situations.

Wisconsin's long and rich agriculture heritage should not be adversely affected by these rules, which are common-sense approaches to prevent serious problems. When properly applied and in regulated amounts, liquid manure can be a great natural fertilizer.

The rules will take effect in 2010, giving those farms affected ample time to meet them. But without stronger rules, the effect of runoff pollution can be devastating.

With the number of mega-farms — those with more than 700 cows, 2,500 pigs or 55,000 turkeys — growing in Wisconsin and producing millions of gallons of liquid manure, sane and sensible ways to control how it is disposed must be adopted. Of the 52 manure spills recorded by the DNR in the winter of 2004-05, nine of them came from mega-farms.

The rules proposed by the DNR will ensure protection of streams, rivers and groundwater.

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## Editorial: Manure-spreading rules will help protect state water

May 30, 2006

Runoff pollution isn't something most of us give much thought to. But if you live by a megafarm, it's a thought that weighs heavy on your mind.

That's because megafarms have a lot of manure to spread on their land. If it's not done properly, it creates runoff pollution, which can lead to contaminated groundwater nearby. It's the groundwater from which surrounding residents draw their drinking water.

So, yeah, it's a big deal to them.

Last week, the state's Natural Resources Board approved changes to the manure-spreading regulations for about 165 farms that are considered "concentrated animal feeding operations."

Among the changes are that these megafarms must have a six-month manure-storing capacity for winter months and are prohibited from spreading manure, under most conditions, in February and March, or other times when the ground is frozen. That's important because manure is more likely to run off frozen ground.

There's also a provision to distance manure applications from streams and another to prohibit manure spreading when there's a 70 percent chance of at least a half-inch of rain within 24 hours.

The last change could be problematic — as any Wisconsin weather forecast can be — but the other changes make sense as ways to balance the needs of agribusiness and those of its neighbors.

The new rules go to state lawmakers for approval. We urge them to resist the expected lobbying to weaken the protection that state residents — and state water — need.

Midwest Environmental  
ADVOCATES



Wisconsin Business  
Advocates



EMBARGOED FOR RELEASE ON MAY 24, 2006

May 23, 2006

**Contact:**

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**Citizens, Conservationists, and Public Health Advocates Support DNR's  
Proposed Rules on Factory Farms**

**Elkhart Lake** – Citizens, conservationists and public health groups convened at the Natural Resources Board meeting on May 24, 2006 in Elkhart Lake to urge the DNR to finalize its revised regulations on manure management at factory farms. The DNR presented its final rules to the Natural Resources Board at the meeting.

"These rules are critical to stopping the manure spills, well contaminations, and fishkills that have plagued Wisconsin in the past several years," said Andrew Hanson, a staff attorney with Midwest Environmental Advocates, Inc., a non-profit environmental law center that has worked with families whose drinking water was contaminated with manure. "Our hope is that the DNR's proposed rules will be strong enough this time to protect public health in Wisconsin, and that the legislature will not interfere with these important standards."

"My youngest daughter and I became ill from drinking tap water contaminated with cow feces in February of 2005 after manure was spread near our well by a factory farm," said Gina Steinke, a rural Dodge County resident. "We had to spend \$14,000 on a new well to get safe water, we missed work, and we had to rely on the DNR for answers as to why this happened to us. No one in Wisconsin should have to go through that – our standards for factory farms should be strong enough to prevent this from happening."

"My kids got sick, too, because the DNR's standards were too weak, and it is well past the time to improve them," said Judy Trembl, a rural Kewaunee County mother of three who was sickened and whose children got sick by drinking tap water that was contaminated with cow feces.

"These revisions will help prevent what happened to my family and children from happening to other families."

"Rivers have been suffering from manure spills in recent years," said Lori Grant, Water Policy Program Manager at the River Alliance of Wisconsin, a nonprofit that advocates for healthy rivers in Wisconsin. "All farms should be held to common sense standards, but at the very least, standards for factory farms need to be improved to protect water resources."



Will Hoyer of Clean Wisconsin said: "It'll be a sad day for Wisconsin if manure spills and contaminated wells become a sign that spring is just around the corner," said Will Hoyer, water specialist with Clean Wisconsin. "Wisconsin families should be digging gardens in the spring, not expensive new wells."

George Meyer of the Wisconsin Wildlife Federation said: "Besides our concerns for rural citizens who are having their health impacted by manure runoff into our streams, hunters, anglers and trappers are greatly concerned about the very large number of fish kills in our streams that have occurred as a result of weak regulations affecting the storage and land spreading of manure," state George Meyer, Executive Director of the Wisconsin Wildlife Federation. "It is thirty-four years after the adoption on the Clean Water Act and it is time for these serious but clearly preventable discharges to our creeks to end."

Peter Murray of the Wisconsin Association of Lakes said: "Lake groups and waterfront property owners across Wisconsin are working hard and investing private dollars to keep our lakes safe, clean, and healthy for everyone to enjoy and use. Manure spills add extra nutrients that cause re-occurring algae blooms and other long term impacts; years of work and dollars can be undermined by a manure runoff event. NR 243 will help ensure that Wisconsin's largest farms are all doing their part to protect our waters."

### FAST FACTS

A "**large**" CAFO is a livestock operation that confines more than 700 mature milk cows, 1,000 beef cattle, 2,500 pigs, 55,000 turkeys, etc. (all 1,000 "animal units"). A "**medium**" CAFO confines between 300 and 1,000 animal units.

The DNR regulates CAFOs under its regulations in Chapter NR 243.

Of Wisconsin's 30,000 farms with livestock, 145 operations have enough manure producing animals to be considered Concentrated Animal Feeding Operations (CAFO).

CAFOs make up less than 1% of Wisconsin's farms, but produce more than 10% of the manure.

CAFOs produce disproportionately more manure in smaller areas; manure spills from these large operations can significantly harm public health and natural resources.

In the first few months of 2006, **almost 70 wells in southern Brown County were contaminated with bacteria**. Some rural families noted that their tap water smelled like manure. The contamination caused many people to become ill, suffering from stomach cramps, nausea, diarrhea, and chills.

Between 2004 and 2005, approximately **34 rural wells became contaminated** in northeastern Wisconsin from what the DNR believes was liquid or solid manure. In one case, a CAFO is alleged to have contaminated six wells in Dodge County, and in another case, a CAFO is alleged to have contaminated as many as 11 wells. The map to the left was compiled by the DNR.

**Manure contamination makes people sick.** Manure contains harmful bacteria that cause serious illness in people that unknowingly drink contaminated water. In some cases, children have gotten sick from drinking tap water that their parents did not know was contaminated with manure. One infant in Kewaunee County was rushed to a hospital for emergency care.

Manure contains ammonia – toxic to fish – that can destroy **nationally treasured trout fisheries**, as happened in Black Earth Creek in 2001 and the West Branch of the Sugar River in 2005.

**Of 52 manure spills between July 2004 and June 2005**, many were caused by large and medium CAFOs and **most were linked to manure spreading on frozen and snow-covered ground**, when the risk of manure spills to streams and groundwater is highest.

Further, many of the manure spills that caused fishkills or well-contaminations were allegedly from **manure applications that appeared to comply with appropriate standards**. This underscores the need to revise the standards and restrict manure spreading on ground that is frozen and covered with snow.

Families whose wells have been contaminated have incurred **medical bills, lost work wages** spent securing safe water for their families and dealing with the illnesses, and had to pay for **the cost of drilling a new, deeper well** with no guarantee that the well will not be contaminated by manure again.

The cost of drilling **a new well** can be as much as **\$10-15,000**, a devastating financial burden for Wisconsin's working families.


#####



### Managing Manure to Protect Water Quality


Revisions to NR 243

Wesley P. Anderson  
Bureau of Watershed Management  
August 1, 2006


### NR 243: Keeping Manure On Land, Not In the Water

- We all want clean water, good fishing, & prosperous farms
- DNR is delegated by EPA to implement the Concentrated Animal Feeding Operation (CAFOs) permit program in WI
- NR 243 has been in place since 1984, with no major revisions
- Changes in EPA regulations now result in state modifications




### Risks to Water Quality & Public Health

- 1 cow = 18 people  
1,000 cows = 18,000 people
- A single CAFO has as much pollution potential from untreated waste as the cities of Wisconsin Rapids, Sun Prairie, Onalaska or Ashwaubenon






### Impacts of Manure Runoff

- Contaminated wells & fish kills due to manure have been happening for many years
- From July 2004 to June 2006
  - Documented 68 runoff events
  - 12 were from CAFOs (18%)
  - 8 incidents were related to CAFOs & frozen/snow-covered ground (12%)
- Impacts were seen from operations of all sizes



### Impacts of Manure Runoff

- Contaminates wells
- Kills fish
- Chronic algae problems

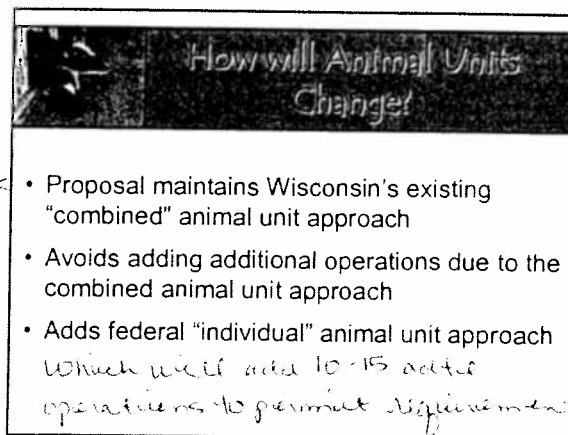
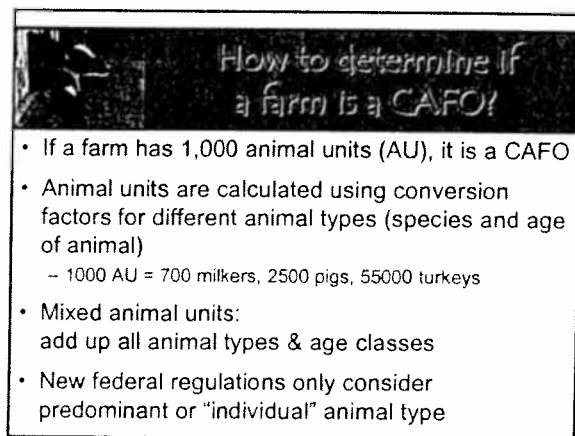
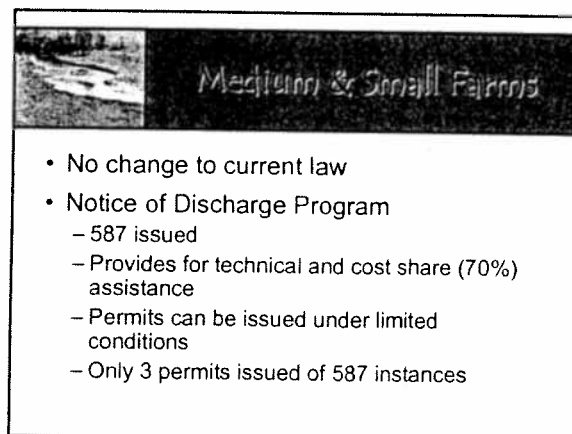
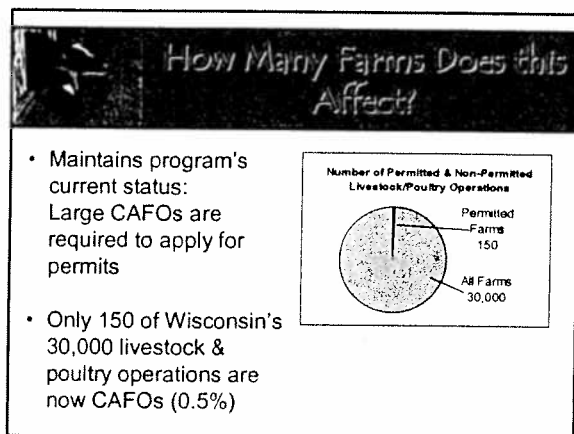
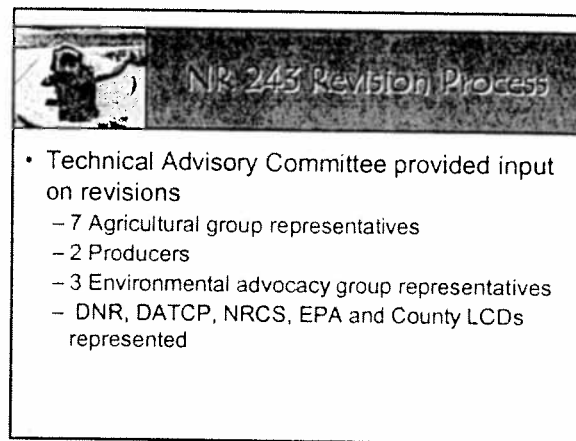
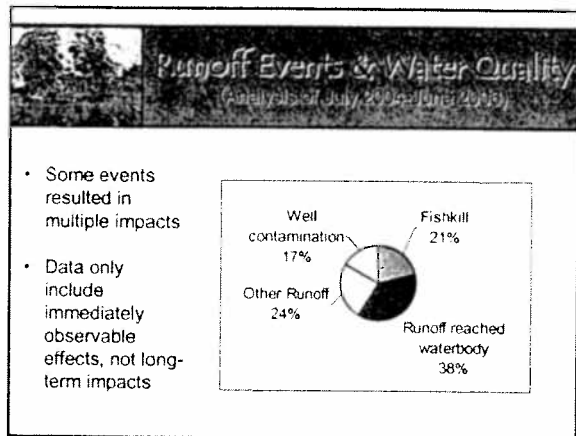




### When do Runoff Events Occur?

Most runoff events occur in February & March  
(36 of 68 events)

Number of Reported Manure Runoff Events Per Month (July 1, 2004 to June 30, 2006)

Month	Number of Events
July	6
Aug	1
Sept	2
Oct	7
Nov	4
Dec	1
Jan	3
Feb	14
Mar	22
Apr	8
May	3
June	0



### How many additional farms might this affect?

- Only 10-15 additional operations are expected to be classified as CAFOs under the new revisions.
  - Status quo for dairies
  - 9 heifer or veal
  - 4 poultry

	Current	Proposed
Dairy	124	124
Heifer	3	10*
Dairy Calf	1	1
Veal Calf	0	2*
Poultry	11	15*
Beef/Swine	11	11
<b>Total</b>	<b>150</b>	<b>163</b>

\* All new operations are due to Federal changes

### General Permits


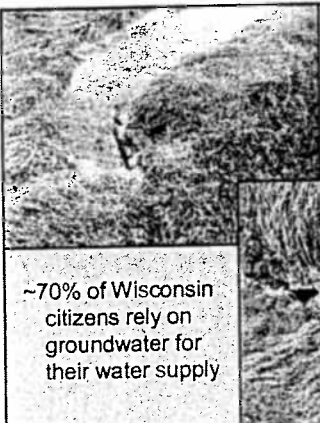
- Provide coverage for classes of operations meeting specific guidelines
- Allow operations with less risky conditions to receive a streamlined permitting process
- Allow efficient use of limited DNR staff
- All other states use general permits for CAFOs

### Nutrient Management Planning Requirements

- Consistent with NRCS 590 Tech. Standard:
  - nutrient budgeting, determining crop needs
- Consistent with program delegation from EPA, NR 243 goes beyond 590 requirements for CAFOs because of operation size and federal requirements:
  - Phosphorus-based plans
  - Restrictions on applying near surface waters
  - Winter spreading restrictions
  - Groundwater protection

### Restrictions on Applying Near Surface Waters

- 100 foot setback (or equivalent) or 35 foot vegetated buffer
- Flexibility in determining equivalent practices (reduced setbacks with conservation practices)

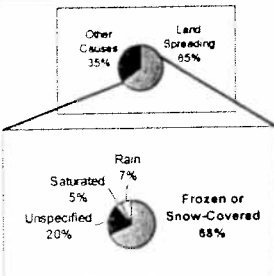



Additional protections for direct conduits to groundwater


~70% of Wisconsin citizens rely on groundwater for their water supply

### Winter Spreading Restrictions

- Primarily from land spreading (65%)
- Primarily in the winter (68% of land spreading events)
- Primarily liquid manure (58%)\*
  - \* 23% solid; 19% unspecified










### Winter Spreading Restrictions

- Winter applications increase the risk of fish kills & other impacts
- Proposed winter restrictions apply primarily to surface applications of manure





### 180 Days Storage for Liquid Manure

- Allows managers to avoid spreading during high risk conditions
- ~80% of permitted farms already have 180 days storage or more
- Other states' liquid storage requirements
  - MN & IL = 270 days
  - MI, IN & OH = 180 days




\* H Operations do not have 180 days storage





### Stacking of Solid Manure

- An economical & safe alternative to winter spreading of solid manure
- Studies are showing positive results
- Technical Standard details how to do it safely




### Other Changes

- Revisions codify monitoring & reporting requirements that have been in permits since 2003
- Address high probability of rains likely to cause runoff
- Phosphorus-based nutrient management

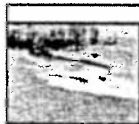
### Rule Adjustments In Response to Public Comment

- Extension of deadline for winter restrictions for solid manure
- Allowance for "agricultural storm water discharges" (operator not liable for land application discharges allowed resulting from very heavy rains - 25 year/24 hour)
- Allowance for drain tile losses that don't reach waters of the state
- Additional provisions for manure stacking
- Allowance for operations that become a CAFO as a result of purchasing another operation



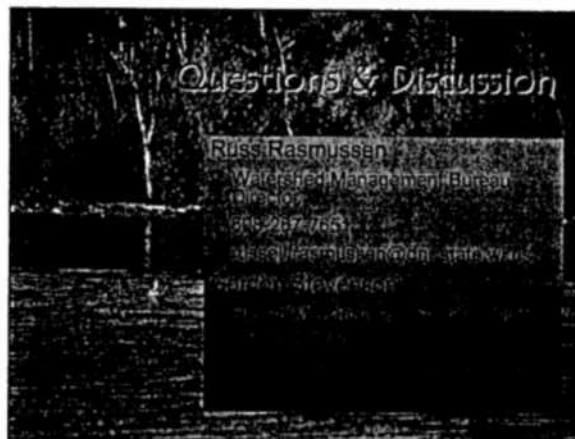
### How will life be different for a producer?

- Additional risk management for manure spreading
  - No spreading under certain winter conditions/ time frames
  - Enact phosphorus-based plans
  - Additional management/flexibility when applying near surface waters
- About 10% would need to expand manure storage



### Benefits of the Rule Revisions

- Address trends in the livestock industry & higher potential risks associated with larger volumes of manure
- Maintains compliance with federal regulations
- Improve statewide consistency
- More clearly define expectations
- Maintain and improve public health, water quality, habitat, and recreational opportunities



### Questions & Discussion

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## ***Proposed rule changes promote clean water, good fishing, healthy farms***

### ***Largest 150 farms with permits, plus 10-15 more affected by federal changes***

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Wisconsinites all want prosperous farms, good fishing and clean water. Most of the state's very largest farms already take steps needed to prevent manure problems that can pollute Wisconsin waters; all very large farms would be required to take such steps under proposed changes to state manure management rules, but would have flexibility in some areas. Such precautions are especially important because these very large farms produce at least as much organic pollution as a city the size of Sun Prairie and spread it on farm fields, often without any treatment.

Proposed changes to the manure management rules in Chapter NR 243 of the Wis. Admin. Code are triggered by recent federal law changes. They were developed with an advisory committee and modified as a result of public input during public hearings in summer 2005.

The proposal would affect 150 of Wisconsin's 30,000 livestock farms, those already required to get a water quality protection permit. Called Concentrated Animal Feeding Operations, or CAFOs, they have at least 1,000 animal units -- equal to 700 dairy cows, 1,000 cattle, 55,000 turkeys and 2,500 pigs. Up to 15 more farms could be affected as a result of federal changes.

These proposed changes are an important piece of addressing manure-related incidents that cause fish kills, contaminate wells, and pollute lakes, streams and groundwater. While such problems have involved farms of all sizes, getting the rule changes in place will help reduce manure problems involving very large farms and can help sustain public support for farming.

### **Major proposed changes for how largest farms manage manure would:**

- Prohibit applying liquid manure on frozen or snow-covered ground unless it's injected or immediately incorporated into the soil or unless it's an emergency outside the operator's control. Solid manure spreading would be prohibited on frozen or snow-covered ground during February and March unless it's immediately incorporated.
- Require six months of liquid manure storage, with some exceptions. Up to 80 percent of DNR-permitted livestock producers already have, or plan to have, six months of storage for liquid manure. Illinois, Michigan, Ohio and Indiana already require at least this much storage.
- Require that manure spread on land be set back from private and public drinking water wells and from sinkholes and fractured bedrock. Additional restrictions would apply to manure and process wastewater spread on areas with shallow soils.
- Require farms to implement nutrient management plans based on applying the right amount of phosphorus, a nutrient, which if it enters lakes and rivers, decreases water quality and fuels algae growth.
- Require farms applying manure near lakes and streams to implement practices such as leaving crop residue on fields to protect against manure runoff, but would allow flexibility in meeting the requirements. For instance, operators applying near surface waters can reduce setback distances if they incorporate manure into the soil.
- Require farms to develop an emergency response plan to address manure spills or discharges.

***Visit the NR 243 Rule Revision website for more information:***  
***<http://dnr.wi.gov/org/water/wm/nps/rules/nr243/nr243.htm>***

# Which farms will be counted as Concentrated Animal Feeding Operations (CAFOs)?

May 2006

## When is a farm a CAFO and required to get a DNR permit?

Any livestock or poultry operation with 1,000 or more animal units is a concentrated animal feeding operation under current regulations. CAFOs are required to apply for and operate under a DNR-issued water quality protection permit. Proposed changes to the state's rule, NR 243, would keep the same 1,000 animal threshold but modify the way it's calculated. Currently, of the 30,000 livestock operations in Wisconsin, about 150 are CAFOs, and that number is not expected to change greatly as a result of the proposed modification.

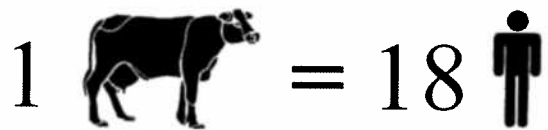
## What are animal units?

Animal units are not the same thing as the number of animals on a farm. A conversion factor is used for each different animal type (beef, dairy, swine) and size (mature or immature) to determine how many equal 1,000 animal units. For instance, 1,000 animal units equals about 700 mature dairy cows, 2,500 pigs, or 55,000 turkeys. For farms having more than one animal type or size class, as most Wisconsin farms have, the state combines all animals together to determine total animal units at an operation. Revised federal regulations do not combine different animal types and sizes together. Rather, each individual animal type or size is counted separately toward its own 1,000 animal unit threshold.

## Only farms with the most manure affected

While the vast majority of Wisconsin's 30,000 livestock farms are generally very small – the average dairy herd size is around 70 cows – the number of very large farms is growing.

Proper manure management is important for all farms, but is particularly critical given the amount of manure these large farms generate. Since one cow produces as much waste as 18 people, a single CAFO has as much pollution potential from untreated waste as the cities of Sun Prairie, Wisconsin Rapids, Onalaska or Ashwaubenon. These large CAFOs are regulated by state and federal laws to ensure sound manure management.



## How are animal units changing, why, and to what effect?

The proposed change to state regulations would modify some of the conversion factors used to calculate how many animals equal 1,000 animal units. The change was spurred by a recent change in federal rules that DNR must incorporate into state rules. After listening to a variety of perspectives on this issue during public hearings, the DNR is proposing to combine Wisconsin's traditional approach with the new federal requirements. This approach requires a farmer to calculate animal units using both a) the current DNR approach which combines all animals toward the same 1,000 threshold using existing conversion factors, and b) the revised federal approach with new conversion factors for individual animal types or sizes. If either calculation equals or exceeds 1,000 animal units, the farmer would apply for a permit. This modification preserves Wisconsin's practice of counting all animals toward a single threshold to appropriately protect public health, lakes, and rivers but meets federal requirements.

## Current CAFO Permit Statistics (April 7, 2005)

146 Currently Permitted Operations Statewide  
5 Applications Pending

### CAFOs of each animal type

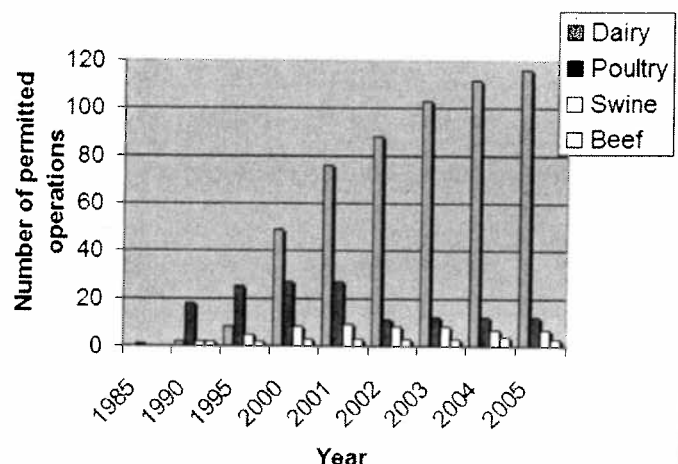
Animal Type	Currently Permitted	Applications Pending
Dairy	125	4
Poultry	11	0
Hogs	7	0
Beef	3	1

### CAFOs in each Wisconsin region

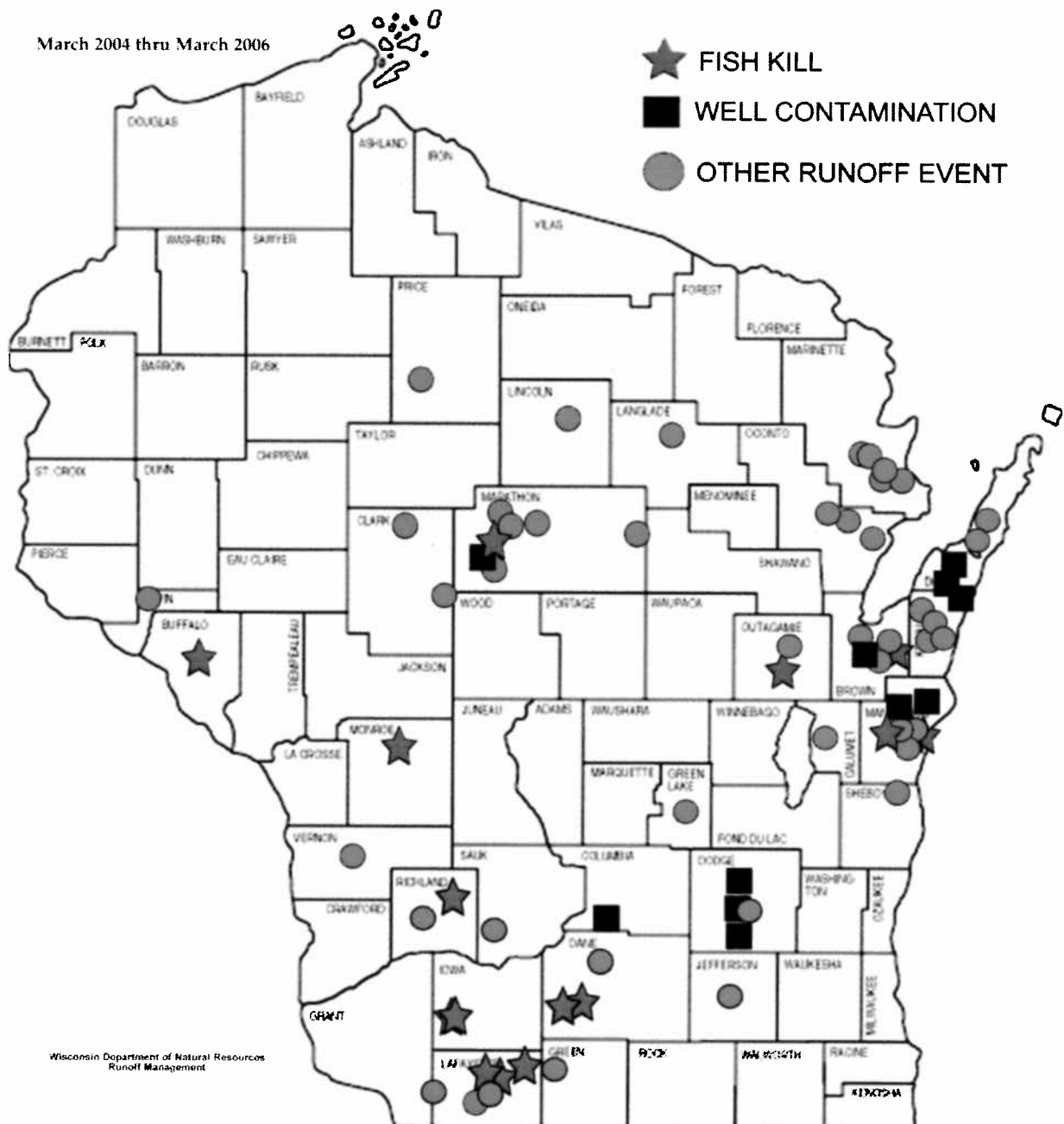
Region	Currently Permitted	Applications Pending
Northern	11	1
Northeast	59	2
Southeast	10	0
South Central	28	0
West Central	38	2

## Trends in CAFO Permit Statistics Over Time

### CAFOs with WPDES Permits



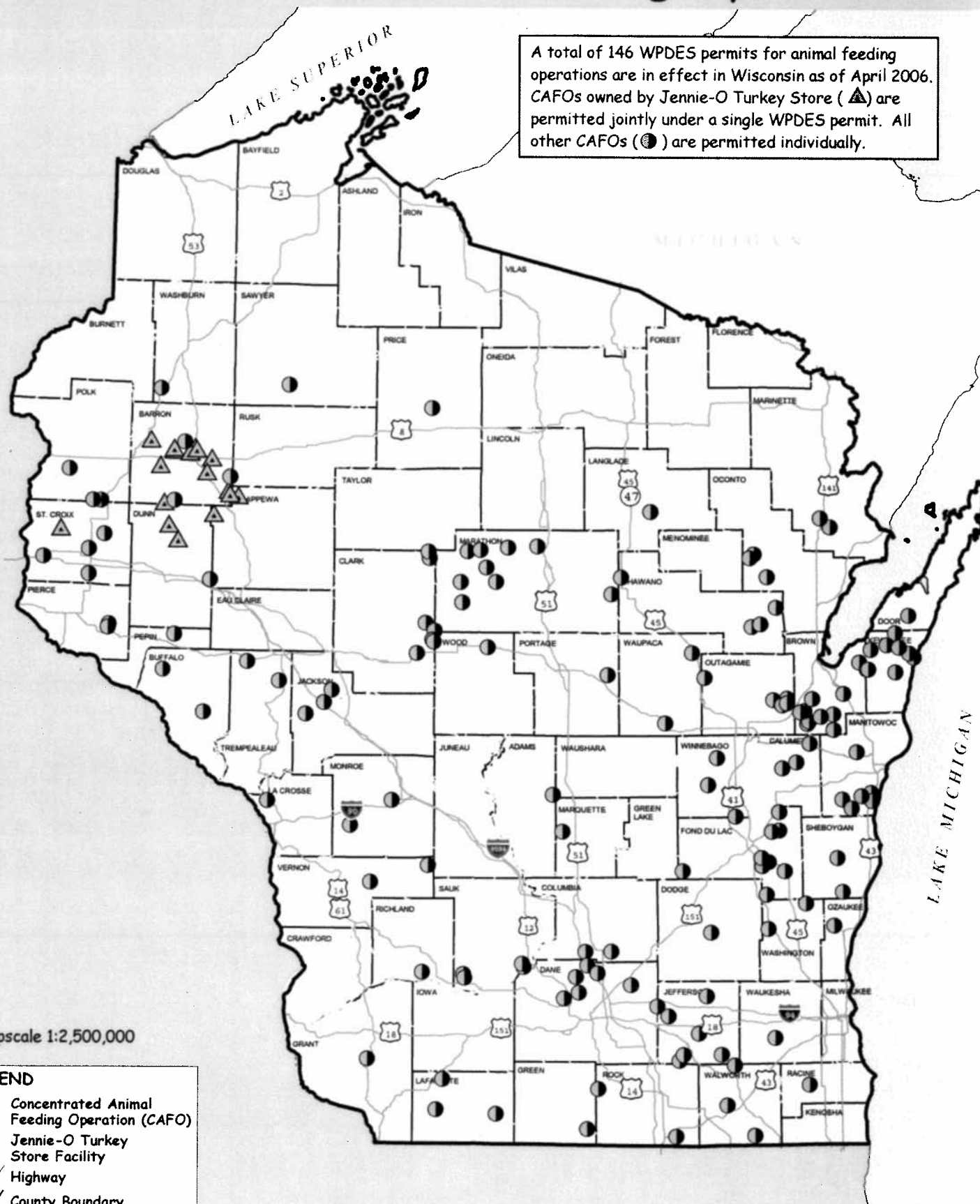
# **Manure-related problems from farms of all sizes March 2004 through March 2006**





# Wisconsin's WPDES Permitted Concentrated Animal Feeding Operations

A total of 146 WPDES permits for animal feeding operations are in effect in Wisconsin as of April 2006. CAFOs owned by Jennie-O Turkey Store (▲) are permitted jointly under a single WPDES permit. All other CAFOs (●) are permitted individually.



Mapscale 1:2,500,000

## LEGEND

- Concentrated Animal Feeding Operation (CAFO)
- ▲ Jennie-O Turkey Store Facility
- Highway
- County Boundary
- Stream
- Open Water

Wisconsin Department of Natural Resources  
Water Division  
Bureau of Watershed Management  
April 2006

